I merer heard anything against him.

before this occurred.

John Opel was recalled as to Grant Dean's repotation and testified that it was good.

Thomas Resse-I live at Meyersdale; I rms a coal mine; know Dan since March; don't know much about him; never heard anything against him before this.

David Fuller-I live in Elklick township and am a Justice of the Peace; seen Grant fivan frequently; didn't know him till March; never heard anything against film,

J. B. Dean, recalled.—The community in which I knew Grant Dean is about Markleysburg; as far as I know his re putation is good; he is no relation to me. only my father raised him.

J. H. Humberson, recalled. - I live near Markleysburg; know Grant Dean since we were boys; his reputation is good. T. J. Engle, recalled.-Testified that

Grant Dean's reputation was good. M. W. Fike, recalled.-Said Grant S.M. Glisson.-Live in Henry Clay township, four miles from Markleysburg; know Grant Dean; his reputation for honesty is good.

The Court here reminded counsel for the defense that an alibi as to Dean and Hill would be useless, they only being held as accessories and of necessity must | Jacob Anderson owns the property; I renthave been absent from the scene of the crime at the time it was committed.

ants.-I live near Beason's Works, Fay- house over night; they staid one two or cite county: I know Wm. Hill; he lives three days, paid for what they got and went on the night of the 13th of April, I was at John Dinsmore's; I fix the time because I know it was my sister's birthday; Dinsmore is married to my sister; I stayel there from Saturday evening till Monday morning, the 15th of April; then I 14th, at my father's house, near Beason's Dunkard church. came over in a buggy; Marsh wanted to get a house; I know absolutely nothing about the Yoder robbery, more than I have read; I never saw the goods said to have been taken, except when I saw them here in court.

Cross-examined .- I don't live with my ain on the 15th; had no previous arrangement to go; Hill is my nephew-Gooseman is not my uncle as I know of door was not locked : there were no re-

Beason's Works is near the place called Cool Spring Hollow; I don't know that that is the place where the McClellandtown gang stopped; I heard of the anything in the papers; I don't know fear some of these men would shoot. that Hill's house was another headquart- The witness was cross examined further ley Lexis, Decator Tasker, Hill and my- he was arrested in Uniontown for getting self were at Hill's on the Sunday we drunk. ver on my person; I had a revolver there: I don't know where it was, I laid in West Virginia; they didn't try to arrest said they were too flip for me. me there; never got anything at Yoder's In regard to the testimony of Ephraim sed through Harnedsville for the last ledge; I went South after I got out of the Penetentiary to Alabama ; come back to Cincinnati and went into saloon business then went to Michigan; was in the broom making business two or three weeks there; went to Chicago then, to see the place; stayed only couple of days; then came home to Favette county last fall; have not been doing much of anything since, except hunting a little.

He said-I live in Henry Clay township, he was over on the other side of the moon- about that. tain on a visit; he hired a horse and buggy of me on the 11th; I was at John Dinemore's on the 13th of April; Jackson Sulli- elicited, after which the defense announced van was there too; it was my sister's birthday; stayed there till Monday; I know nothing about the Yoder robbery or the goods, only what I saw in the paper; know nothing about the money or anything at his house; never saw his house or him either After some discussion a motion for a notice protill I saw him here at Somerset.

lived with me the greater part of the lime; mountain on the 15th; didn't go away from seawer the charge of socolving stolen goods. home on the night of the 15th in a burter Conserramination-He was in my employ Dean lives in the same house I live in it and was true to my trusts; others asked me was on Thursday the 18th I went away; it opened the argument for prosecution, by about him; heard no one talk about him was after dark; it was not midnight; I was first detailing the circumstances of the robcrawled out of a hole.

question was not pressed.

Lewis and Tasker there once or twice; I arrest me; the night they were over after Dean's reputation for honesty was good. Lewis they were at my house; they said they were after Crarley Lawis.

Mr. Holbert of counsel for the defense here offered the record to show that when Marsh Sullivan was indicted for jall-breaking, at the time referred to in his testimony, the grand jury ignored the bill against him

Wm. Hill, one of the defendants-I live near Markleysburg in Henry Clay township, ed it as a dwelling; moved in shortly after the fall election; stayed till arrested; I know Jackson P. Sullivan, one of the defend- Lewis and Tasker; they were there at my twenty-five miles from Benson's Works; away; the second time they came they allowed to go away on Monday and then these parties came on Sunday and arrested Uniontown on the day of the robbery and them and me too; on the 13th of April I was at my mother's at Beason's works : returned on Sunday; the Sallivans are my uncles; know nothing about those goods shown here; never saw the stockings; they went over the mountain with my bro- had fetched satchels and I supposed they ther to go hunting; I saw Hill on the were their clothes; I am a member of the

Works; we went to Marsh Sullivan's on Cross-examined-Lewis Ilved in Union Monday, April 15th, and stayed there, I town and Tasker livel on Brady's farm; I over the mountain again to my folks; we ago; they stayed the first time 3 days at my house, nobody was hunting for them then: ful witnesses. the Sheriff of Fayette county didn't come there after me and them ; I was not charged with any offense; Jack Sulivan wasn't at my house when the Sheriff of Fayette watching my house to my knowledge; Jack Sullivan, Tasker and Lewis weren't staying father, but live a couple hundred yards there; when they were there they were out east of him; went to Dinsmore's on after- of the house and around the fields where I noon of the 13th; went over the mount- was working. They talked awhile and said they were going to Davis City, and stopped there to rest up; they were going to go fish ing and hunting and then were going away they were all going fishing; they were there I was over at Hill's hunting; had my three or four days before they were arrested. hounds with me; wasn't on the loft; the I don't know their fishing was done mustly with revolvers and shotguns; there wer volvers found on me; I don't know that three revolvers there that didn't belong to there were any in the house; I had a me; I was out in the wood yard when they fowling-piece there; there was no gun arrested me; I don't know which one with both hammers up; my gun was set- brought the bundle with the stockings; I ting in the room; I brought it there to was not at the house when they came; I was there when Jack came; my wife was at home when they came; I came back on the 14th; I was arrested somewhere towards the last of the week; I had Marsh Sullivan's horse and buggy; these men made no resistance that I saw; I don't know they were gang through the papers; I heard I was up stairs; when my wife and I were put unconnected with it, but you can see most der arrest I said we would walk away for

ers of the gang; I believe I did see some- but persisted in his denial of all knowledge of the robbery. He admitted, however, that

were arrested; Mrs. Hill, my sister, and Grant Dean sworn-I lived formerly in Mr. Yoder, with good eyesight could not steal, or commit a rape, or any felony in one direction, and on 15th, of April and the plea is not conclude a national control of the plea is not control a lady by the name of Miss Teats, who Fayette County; within the last year I re- say these were the men who so brutally whatever, whether the felonious intent saw two men going in opposite direction eigenmentages surrounding it, shows was on a visit; my sister twas also there sided in Somerset County; I lived with John abused and robbed him. Again, none of the be executed or not, the person so offend-carrying sacks, and points out Lewis and it was impossible for the person. Lentz on the 13th of April, I don't rementon a visit; they weren't there cooking ber whether I worked or not; on the night fact that a few dollars were found in the posof the 13th I was to see my wife at Henry Opel's; got there about 8 o'clock; I was arrested at Joseph Savage's in Fayette County; it on shelf when I went there; there was when in Fayette County I made my home not a door locked or threat made; Tas- with Marsh Sullivan; I know nothing about ker didn't say he was sorry we hadn't the Yoder robbery only what I read and fought; I have been arrested before; it talked to people; On Sunday morning after was in May or June, 1881, in Favette Co., the Yoder robbery I went to St. Paul's for robbery; I was convicted and sent to Church and saw this young lady and asked Hanna's and McClintock's testimony don't Riverside Penitentiary; we served six her if she knew of folks going after the robyears and a half there; I wasn't arrested bers; she asked me why I didn't go and I

and know nothing about it; never pas- Engle, a witness for the Commonwealth, examined yesterday, the witnesss said he was fifteen years to the best of my know- joking when he said, "Tais is some of Yoder's money."

I went to Fayette County because I hadn't been there since the election. I loaned a man \$10 up there; he was to send it to me and didn't and I went up to get this money and attend to some other business.

Cross-examineL-When I was with Marsh Sullivan he lived in Boss Dean's house Marsh married a daughter of the man that raised me. I hadn't been there for a good while; at that time Hill hadn't went to J. M. Sullivan, another of the defendants, housekeeping; knew Fisher; never saw and generally called Marsh, was then sworn. Lewis but once before; I never asked Mr. Livengood whether John Beachy or Peter Fayette county; I know Wm. Hill; I know Hay had any money; Livengood is mistaken

> This witness was cross examined som what further, but nothing important was that their case was closed.

The Commonwealth stated that they were willing to allow a justic pros in case of Grant Dean and a motion to that effect was filed with the court by the District Attorney was also filed in the case of Wm. B. Hill grave-doubts of the guilt of any one of these Cross-examined-I moved where I live with the understanding that he be bound prisoners. now last fall; Hill moved over to Markleys- over to appear either in Somerset or Fayette burg last fall; he is a nephew of mine; Counties as receiver of stolen goods. The didn't arrange to move there together; the Court nilowed a noile pror in case of Grant little while gentlemen of the jury. I will and entered the dwelling house of Chris and that he left them in custody of term in the pentlemen of the nonses are about a quarter of a mile apart; Dean and bound Wm. B. Hill over in the not weary you. I was at my own house when arrested; I sum of \$1,000 for his appearance at the next The case is greatly simplified by having this county, and there committed a felowent away in a buggy; I came over the term of the Court of Quarter Sessions to only four men before you. Let me first de-ny. The offense there committed was, helped to arrest Lawis and Easker as he on the 13th, and was not at Yel I was at my own house when arrested; I sum of \$1,000 for his appearance at the next

The District Attorney, F. W. Blassaker, not at Engle's and asked for bread and but- bery. The evidence was then all reviewter; I didn't see. Hogle at Moyeradaie before od, showing in his estimation that it fastens arrested about 15 or 18 years ago in this have shown by uncontradicted testinous they have tried old man's Weller's ultil county for assault and battery; the sen- that the acqueel parties were in the County theory. tence was 8 months in jail; I didn't quite on and about the Yoller settlement, going serve out my time; I didn't break Jail; I from place to place, and making suggestive inquiries as to rich farmers. They were not The witness was here asked to state who working anywhere, or seeking employment made the hole, but he declined, and the We have, also, proven that they were in the County on day of robbery, I don't know anything about the McClel- they were identified by Stevanus, Ellis Baker andtown gang; I was never charged with and Miss Wilhelm who were at Mr. Yoder's. belonging to it in my own county; Hill's and who were tied by them. After the robhouse was not my headquarters; I saw bery we have shown that they were gring out of the County towards Fayette County. wasn't in the habit of going there, but have and were arrested with the stolen property been there: I got out of jail twice here but in their possession. This was clearly proven didn't break out either time; I went out by such witnesses as the three Hanna's, and through a hole the second time too; I was other reputable men of the County. The in both times for the same offense; the Fay- attempt to prove an alibi by immediate reette county authorities were not after me to latious and jail birds was, as the jury well knew, a most miserable failure. Under all the circumstances we do not doubt that and his daughter saw Marsini Sullivan when wards. He testified how and by whom of the prisoners then were your verdict, gentlemen of the jury, will be guilty in form and manner as indicted. John H. Uhl, for the defense, referred to

the gravity of the charge showing the pea- equal to such a deel. And here they sit ing the act; he points out Lowis as the ference can be condo from it; a alty involved if conviction follows. He said in substance that the prosecution falled to He had the best of opportunity to see and As to Tasker, he judges from size and vertently deposited by the officer identify clearly any of the accused. Only a few of the witnesses said they saw either of the Sullivans in Somerset County, and they were not positive in their assertions. We ence of either Jack or Marsh Sullivan in the County. All we ask is a verdict in accor-

dance with the sworn testimony. We have proven by good witnesses that both Sullivans were over in the region of on several days after this. How could possible that they have perjured themselves. and Paul were there. These witnesses swear positively that both the Sullivans were at the birthday party at alibi witnesses, admitted having committed Densmore's in Fayette County on the 13th of April, the day Mr. Yoler was so fearfully changed and replaced.

The argument founded on the fact that the Sullivans had been in prison, ought to think, till Thursday; then we came back worked with them in the mines some time have no weight. They gave testimony like honest men, and do not they look like truth-

Court Adjourned.

Court convened promptly at 2 o'clock; and four prisoners only, viz. Lewis, Tasker, and the two Sullivan's were marshaled in county was there; the Sheriff wasn't there by the Sheriff, the others having been discharged.

A. C. Holbert, Esq., one of defendant's ounsel addressed the jury in substance as follows

We don't deny that a robbery was committed at Yoder's house, nor are we here to fied. say a word in palliation of the crime; but are here to deny that these four men, nor ne of them had anything to do with it. The jury must divest their minds from all prejudices and form an opinion on the evidence offered.

Certain principles to be kept in view, viz. Every man is presumed to be innocent until found guilty; the prosecution must make out the guilt of the accused, and show that none other than they could have com mitted the robbery; that the prisoners must have the benefit of reasonable doubts. What is a reasonable doubt? Many definations. But take this, if you were particularly connected with the prisoners a doubt would lead you to acquit. So you ought to view your duty in this case.

Four men are weeded out, and only four are before you; Stevanus tries to identify them, and having seen the men often, final-any city or county thereof, or to any body Soilivan, and that he, Sullivan, was from able doubt. Tasker, by having seen them before; could house, or out-house, parcel of said dwel- pairs of two, passing some distance apart the evidence at tasks. money was found and identified, and the session of one of the Sullivans was no evidence, as any young man could easily make a little money. The prisoners were not identified by any peculiar mark about them; the witnesses only saying we know them be finement at labor, not exceeding ten men come, and take cross cut over hitls van bays, Murskell and Luckson or enuse we know them; it is like saving the years, cow crossed the road because she crossed it: mix more than oil and water; what becomes of the shadow of the shade the latter spoke of. The men carrying bags, seen by him, seem to be other kind of men than those de scribed by Hanna. Four men travel over to Etkilck but only two returned. What became of the other two? The Commonwealth only brings two back. Lewis and Tasker. Where were the Sufficanc? We have already proved that they were over about Uniontown, thus proving an alibi. You would prove where you were at any certain time by the friends with whom you were; the Sullivans proved where they were on the 13th of April by a brother-in-law, Dinsmore, Prosccutors try to prejudice the case by

singing into your cars il e baddeeds of the McClellandtown gang. Joe Paul, and Peter Gooseman swore the Sallivan's were at Dinsmore's at the time named. So Polocks a brother-in-law swore.

Both Sullivans, and their brother Henry testified to same effect, Jack Sallivan Incarcerated here, with no opportunity of consulting with others, tells a straight-forward story. No evidence of collusion.

District Attorney most unfairly tried to prejudice you by saying if you believe the theory of an allbi, you are doing injustice to the Somerset dutch. It was the most unfair thing he ever heard. Do not your consciences tell you there are

F. J. Kooser, for commonwcalth said

mong other things : Bear with me only a

wint was stolen into the hands of all four just given you, of the one . Proved that four villains, nowards, entered into Yoder's laures. Didn't know what would be the nature of their delense, didn't know but what the dodge would be Lewis' favorite heart discuse, and who committed it, lies upon the says they had sake, which in

counsel on the other side took cars to a reasonable lentil; for it is a first princi- A regatine,

Sainty, gain; arse to English, spending monwealth proves guilt. The Common-Numerous witness imethere. The E-gles syte-sify, as well as wealth in its effort to prove guilt, calls connect. Thomas, ome others. Lawls and Tasker had been at first Samuel Stevanus, who testifies to and Hill, but the house a week before, and knew about the burglary and the felony committed out of the case and you have how to enter by the two doors. They had as one who was there, an ioniate of Mr. enquire of as to them. asked about rich people.

Tiesne and Wright two witnesses now and of Miss Baker's, and that some sugar, as to the arrest, and the identified them by the bine necktle and the hams, chestmuts, stockings, pillow slips, place of arrest of the puri big collar. They were seen to be moving in suckes, jewelry and a demijohn, there of the stockings which Miss Bakes the direction of Yoder's. Both Mr. Engle before the burglary, were missing after- titled as hers, in Hill's house within a mile of Christian Yoders.

describe it. Only brutes and cowards are certain of the defendants as parties do- none was produced on trial, and a Stevannus saw them there for four hours. remember them. Likewise Ella Baker, recognized them.

Lewis and Tasker were arrested by Hanna and others. Where were the Sullivans? entend that they have not proven the pres- Too well known to be prominent and therefore they clude public observation.

We trace them to their rendervous near Markievsburg, and find them in possession of Yoder's goods,

As to the alibi. Brother-in-law Pollack, and stepfather Dinsmore had much to say about celebrating. Dimemore's wife's birththese 7 or 8 witnesses be mistaken, or is it day with a good deal of whisky, Goeseman

Henry Sullivan, a brother, one of the a robbery with his brother Jack, and serving six and one-half years imprisonment in penitentiary for it.

As to Jack Sullivan, he has not done one tiary, but floated to Alabams, to Cincinnati, to Michigan, to Detroit, then to Markleys the entrance into his dwelling and the In cases where the Com-

that you render a ventice of guilty.

A. C. Holbert Esq., said he wished to say he did not receive the money taken from prisoners. Mr. Kosser replied that he did not say the counsel took the identical

The Judge said it was an error to take the money and place it so as not to be identi-

JUDGE BARR'S CHARGE.

Geotlemen of the Jury :- Whether the orisoners at the bar are or are not of the McCleilandtown gang" should not affect your finding in the issue you are now trying. The prisoners at the bar stand indicted for the offense of burglary. The indictment charges the offense as burglary.

Burglary is the breaking and entering into the dwelling house of another with he passed two men, whom he now points nesses may be mistaken as to fin the intent to commit a felony therein. The statute prevailing in Pennsylvania provides as follows:

and maliciously, break or enter into the ling the robberry. State capitol, or other public building ly, through prejudice thought they might be corporate, society or association, or into home from April 11th to 15th. not others have been mistaken for them. ling house, with an intent to kill, rob, on 2nd of April on Confinence road going and requires to be minutely on ing shall, on conviction, be adjudged Tasker as the men, passing both ways. have committed the off-ness or and guilty of felonious burglary, and be sentenced to pay a fine not exceeding one in Addison township, two of whom he the case raise a reasonable doubt thousand dollars, and to undergo an impoints our as Lowis and "lasker. prisonment, by separate and solitary con-

So much has been said of the enormity the Commonwealth has proved too much, of the offense charged; and of the necessity that a jury should carefully consider all the evidence in the case, and Court, fairly, impartially, and without prejudice or passion, and without any ever, decide the issue on the evidence.

The issue is the guilt or innocence of Wan, Zufall says on 12th of April he you will remember what relationship the prisoners; keep this in mind, and saw four men; recognized M. Sullivan ista. thrust aside all feeling that may have us one. been incited in your breasts on first. Theo, Engle says he saw a man at his and Mursic at Dinum was on the hearing of this great offense. Know no place 15th of April, 1830; asked to buy a at the colebration -no relative county or township lines; Look at the loaf of bread and butter; take M. Sulliprisoners as men-try them as men- van to be the man. and decide honestly and justly, on the M. Bonnell says met three men in feast; I think he said the said as evidence, between the Commonwealth country, were going towards Fort Holf, his consins and that he was in and the prisoners.

committed in this county have any ef- were two of them, feet upon your minds in finding a ver- M. McClintock saw three men evening

venge.

shows that certain persons, on the night saw them on them on road afterwards wealth undertook to ideal of the day of the 13th of April, 1880 broke with sicks; details how arrest was made, cross examination a limit tian Yoder, one of the goo! farmers of Augustine and others.

the chara birghay is. We have travel according to the definition and statute says; he details at length have the

Who committed the off-use, is the men. question for the jury. The burden of Rass Angustine details the showing that an offense was compilited, same arrest and how his ma-We can du't get 1 old of the morey as the of the guilt of the accused parties beyond . June Walker correspond pal of criminal law, that everybody is brasil Hower recognite We have found them coming into Somerset innocent of any offense until the Com- he saw going up on 13th of An on the 11th of April Marshal Settivan left detail to you the manner and the cruelty some han found in the sicks home and was away up to the 14th. And of the act. The goods there stolen, he ler, the sight and moulds, says, were about \$400 of Mr. Yoders, \$50.

Sheriff Kyle and Dr. Fight. he and the other inmates of the house | Peter Albright testilies as to t As to the crime itself language falls to were tied. He undertakes to identify and the money taken from the p man who field him; that he saw his face, appears to identify it. It had been voice; says he saw eyes of one he now | On this testimony the Common a says was Marsh Sullivan, and saw the seek to exaviet these four prisoners upper part of his face, above the mus- offense charged. tache.

Ellen Baker, also an inmate of Mr. Yo- to the identity of the parties, is for der's dwelling at the time of the rubber. The defense set up, is as to the ry says the stockings that were in evi- Sullivans, Marshall and Jackson, t dence and which were found in the an alibi. It is affected they were a house where the arrest was made are time of the alleged burglary, in Fa her's, and were taken at the time of the county, a distance of more than a burglary ; she points out Lewis and Jack away on the day and time and for Sullivan as two of the parties and says previous and several days after she could not then see the face of the that therefore it was impossible others. She testifies that a week before these two Sallivans could have be the burglary Lewis and Tasker were at ticipanis in the burglary. Yoder's and got their supper, and she Au alibi is as much a trave also states the kind of property taken. | crime charged as any other defer

Christian Yoder, the old gentleman proof-tending to establish it, thou conest day's work since out of the peniten- whose awelling was burglarized, gives an clear may with other facts of the account of his loss and the manner of raise reasonable doubt of guilt. burg and over here into Elklick township; cruelties inflicted upon him, but don't rests upon positive and undoubtundertake to identify any one. He of the prisoner's guilt, it should We ask in the name of all we hold dear states how, by cruel treatment he be- overcome by less than foll clear came unconscious, and is hence unable isfactory evidence of the allegeto say how they appeared.

Fannie Wilhelm substantially corroborates the statements of Stevanus, Miss alibi be set up by the defense of Baker and Mr. Yoder as to the burglary den of proving the prisoner's and the manner in which it was done. Anna Engle, early in April preceding the Commonwealth to satisfy the the burglary says Lewis and Tasker came | guilt, beyond a reasonable doubt to her father's for apples, etc., and mys jury must take into that on the day of the Yoder robbery a facts in the case and the proof of man came and asked to buy a loaf of the in-coming to a con bread and some butter; she undertakes. This is to the alibi involves :

van, a prisoner on trial. B. Y. Moust says he saw men whom he ness of the alibi set n points out as Lewis and Tasker, and who er whether the alibi as to time on 5th April 1889 ate supper with him at sonably made out; for the facts Christian Yoder's.

out as Lewis and Tasker on their way to the time and circumstar Meyersilale.

Wm. Brown found two men on Wm. If any person shall, by night, wilfully Mever's hay mow the Saturday preced dence, and may be a full asser-

Thos. B. Dean, of Fayette county, says

A. Coughenour, saw I men in pairs, pass proof of the alibi and the other :

Mr. Tissue, on 12th April, saw four one of whom looks like Lowis; one like April at his home in Farette Jack Sullivan.

Howard Wright on 12 h of April saw five strangers, four of them in pairs; one Marsh Sallivan were at his house some distance in rear, passing through site from 15th April to 15th, cale should, after receiving the law from the Harnedsville, in this county, he says he Mrs. Dinsmore's birth lay: said recognized one as Marshall Sullivan, and had a lively party; said he book says he saw men whom he points out as Sallivan, one Paul and a Mr. Greinfluence from outside sentiment what- Lewis and Tasker carrying sacks filled, to his house that night-Disso at a later day.

two had sacks on shoulders; on Sanday, father of Tasker. Let no other crimes that have been April 16th; thinks Lewis and Tasker 5th, Henry Sullivan.

dict. Try the prisoners on the charge of 14th, near Fort Hill, one had a suck. brothers were there. This will contained in the indictment; and on that Says he feels certain Tasker was one, but might be mistaken.

tion-go where the evidence of credible saw Lowis and Tasker in his father's 6th, Jackson P. Sulling witnesses leads you; whether it lead to barn, with two sacks and a demilyhu, defendants, says he was a guilt or innocence; and be not swayed meat in one suck; and on 12th of April from the right and from duty by sym. had seen fear men pass in couples; re-others who testified as to be pathy or by prejudice, or a feeling of re- cognizes Jack Sallivan as one, but not was there till the 15th. Il absolutely positive.

Wm. Hanna says he saw Lewis and The evidence, if believed by the jury, Tasker in his barn at 11 o'clock of 15th; places where witness for

moul from idea and als fired snough to enable him to mount

Whether the wit

an alibi, is for the jury, and the thereby shifted. The burden :

to point out the man as Marshall Salli- ner in which witnesses testify the bility of the witness, and the parties presence at a Geo. Rubright says on 6th April 1880 certain occasion may be all true as charge. And even though not a established, it may with other to

When an alibi is duly establis-

To sustain this alibi, the defen-1st. J. C. Pollocks wave-saw the Pollocks is brother-in-law of Still

241. John Dinenus sers-lin beather in-law of Salikvan ! be

4th. P. W. Grossman service Dinamore's on the Eith of Ayed,

Marshall and Jackson, and he as birthday feast on 13th April 1 cross-examined to affect mitted he once served Give all the evidence due considers. B. J. Hanna says on the 15th April he on a charge of robbery, but party of his sister on the I he knows anything of the bery, and denies that I

7th. J. Marshall Sandy